

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 05 SEP 2005

WIPO

PCT

Applicant's or agent's file reference 112831:EHJ	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/AU2004/001362	International filing date (day/month/year) 6 October 2004	Priority date (day/month/year) 6 October 2003	
International Patent Classification (IPC) or national classification and IPC Int. Cl. 7 A61M 37/00, 5/32, 5/00			
Applicant EASTLAND MEDICAL SYSTEMS LTD et al			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a.  (sent to the applicant and to the International Bureau) a total of 7 sheets, as follows:

sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b.  (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 30 June 2005	Date of completion of the report 30 August 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer  <b>KAREN VIOLENTE</b> Telephone No. (02) 6283 7933

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/001362

## Box No. I Basis of the report

- With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
  - This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:
    - international search (under Rules 12.3 and 23.1 (b))
    - publication of the international application (under Rule 12.4)
    - international preliminary examination (under Rules 55.2 and/or 55.3)
- With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
  - the international application as originally filed/furnished
  - the description:
    - pages 4-9 as originally filed/furnished
    - pages\* 1-3 received by this Authority on 30 June 2005 with the letter of 30 June 2005
    - pages\* received by this Authority on with the letter of
  - the claims:
    - pages as originally filed/furnished
    - pages\* as amended (together with any statement) under Article 19
    - pages\* 10-13 received by this Authority on 30 June 2005 with the letter of 30 June 2005
    - pages\* received by this Authority on with the letter of
  - the drawings:
    - pages 1/11 - 11/11 as originally filed/furnished
    - pages\* received by this Authority on with the letter of
    - pages\* received by this Authority on with the letter of
  - a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
- The amendments have resulted in the cancellation of:
  - the description, pages
  - the claims, Nos.
  - the drawings, sheets/figs
  - the sequence listing (*specify*):
  - any table(s) related to the sequence listing (*specify*):
- This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
  - the description, pages
  - the claims, Nos.
  - the drawings, sheets/figs
  - the sequence listing (*specify*):
  - any table(s) related to the sequence listing (*specify*):

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/001362

**Box No. V** **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

## 1. Statement

Novelty (N)	Claims 1-25	YES
	Claims	NO
Inventive step (IS)	Claims 1-25	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-25	YES
	Claims	NO

## 2. Citations and explanations (Rule 70.7)

**NOVELTY Claims 1-25:**

The invention defined in claims 1-25 is novel, as none of the cited prior art discloses: a inoculation device comprising a body having a fixed portion and a movable portion, said fixed portion having a front face, the movable portion supported from the fixed portion to the rear of the front face, a needle supported from the movable portion to be movable on relative movement of the movable portion with respect to the fixed portion, towards and away from the front face whereby free end of the needle is caused to undergo a longitudinal movement between a retracted position at which the free end of the needle lies to the rear of the front face and an extended position at which the free end of the needle extends in front of the front face, said movable portion being biased to the retracted position, an indexing means provided between the moveable portion and the fixed portion to cause an indexing lateral movement of the needle in a direction transverse to the longitudinal movement through a plurality of stations in association with the longitudinal movement of the needle wherein on each longitudinal movement the needle is located at a separate station..

**INVENTIVE STEP Claims 1-25:**

The subject matter of these claims is not rendered obvious in view of the teachings of any prior art documents taken in combination or in combination with common general knowledge.

**INDUSTRIAL APPLICABILITY:**

All claims have industrial applicability.